

AIPA Term Calculation Report

	APPLICATION	INFORMATION	(B)
Docket Number:	HRT0303CON	User Name:	Chan-Moroney, Julie
Application Number:	10/628,920	Firm/Company Name;	Johnson & Johnson
Filing Date:	07/29/2003	User Comments:	
Title/Inventor(s);	SURGICAL CLIPS AND METHODS FOR TISSUE APPROXIMATION; Lee R. Bolduc, Mountain View, Calculation Generated: CA	Calculation Generated:	01/10/2011 03:55:05 PM ET

	ALT INVIEND SOMMAN
Earliest Referenced Application under 35 USC § 120, 121, or 365(c):	02 / 24 / 1995
Filing Date (US National Application):	67/29/2003
Net Adjustment Credits:	1570 Days
Net Adjustment Debits:	159 Days
Patent Term Adjustment:	1411 Days
AIPA Patent Term End Date:	01 / 05 / 2019 (1)

(1) Assumes paynent of all maintenance feet, no invervening acts, and no 33 USL 136 significary extensions? Terminal diactaimer(s) filed in this case, if any, may result in an electric term end date. Without adjustment, the term would end on 02:242015.

Processor .	***************************************	7	7	~	~
	Companson	×	×	×	
	Your Calculation	1570	159	[41]	The state of the s
PARISON TO USPTO PAIR PTA TAB (2) (Based on PAIR Data from (B.1025)1)	PARPIATE	1561	95	1466	A Company of the Comp
STANDO B		Credit Days (USPTO Delay);	Debit Days (Applicant Delay):	Total Patent Terra Adjustment Days:	(2) Commercing is chosen for Non-Phondosomica Professional Analysis at 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

(2) Camprison is shown for Your-YouTapping USPTO Delays, Applicant Delays, and Loral PTA Adristments (felds) from USPTO PAIR Patten Term Adjustments (PTA) tabout 04.70 2011. See the infermation on USPTO-Callenhood PTA, and issued patent for complete infermation on USPTO-Callenhood PTA.

	Credit Days (t)	£	583	
	Debit Days (S)			28
	Dors (4)			
	Related Event	First P1O Action - 11/16/2005 Non-final Action	ksue Deite. 07/27/2010 Issue Date	Applicant Response: Ostsi Goodel Reply after Non-final Action under 37 CFR
RULE CALCULATION SUMMARY (3)	Rule tavaded	14-Manth PTO First Action PrO must mail a notification under 35 USC 132 or a notice of allowance under 35 USC 112 or a notice of allowance under 35 USC 1114 to find their international teather the discovery their proprietation was find under 35 USC 1114 to findlished the requirements of 35 USC 371 in an international pupilidator. Protot of adjustment (order) byegine on the day after the date on which the application was filed under 35 USC 111 and undergo or the date of making to the date of which the application was filed under 35 USC 111 and undergo or the date of under 35 USC 1124 or a motion or allowance under 35 USC 1134 (b) (1)(A)(i); 37 CFR 1.702(a)(1).	3-Xear PTO Issue al Patent PTO Issue al Patent PTO must issue a patent within 3 years (not including exclusions) after the date on which the application was filled under 35 USC 11 (14) or the intoinial stape commenced under 35 USC 37(f) or (f) in an international application. Period of adjustment (redist) begans on the day latter the date has layer after the date of the commenced under 35 USC 11 (14) or (f) in an international application at the age on the date a patent was fisted under 35 USC 11 (14) or (f) in an international aguage or commenced under 35 USC 11 (10) or (f) in a uniformation and ending on the date a patent was fisted but not relating the sain of the itseed accutasionary periods, 35 USC 15 (4) (1/18); 37 CFR 1.702(9), 1.703(9). You have elected to analyze this rate in accordance with Wyeth v. Kaptose, 391 F-30 1154 (Pect, Gr. 2010).	3-Month Applicant Response to Notice or Action before of adjustment (credite) shall be reduced for the period in excess of 3 months the reduced of the period in excess of 3 months the reduced of the period of the
	Event	07/29/2003 Filing Date under 35 USC 11 (6) (US National Application)	0729/2003 Filing Date under 35 USC 111(a) (US National Application)	117/6/2005 Non-final Action

256			56
	67		
		561	
P1O Response: 03/29/2007 Final Rejection	fpgheant Response: 00042001 Notice of Appeal to Board of Patent Appeal and Interferences	Responsive Event: 03/17/2009 Final Decision by Board of Patent Appeals and Interferences	Final Appellant Dacision: 03/17/2009 Final Decision by Board of Putent Appeals and Interferences
4-Month PTO Response to Applicant Repby PTO must respond to a reply under 35 USC 132 not later than 4 months after the date of which terply was file. The period of signsment closelib begins on the day after the falls it amounts after the date a reply under 37 CFR 111 or in conclusions on the maining date of the configuration of the configuration of the maining date of white matter and on mader 38 USC 154(b) (1) (A) (b) (5) CFR 1.702(b)(2). 1.702(a)(2), 1.702(a)(2)	3-Mouth Applicant Response to Notice at Action Period of adjustment (credite) shall be reduced for the period in excess of 3 months taken to reply using Y 100 year. To mother taken to reply using Y 100 year of the content of other exquest, beginning on the day rate that is 3 months are more than the content of the taken that is 3 months on the day that the taken that is 3 months of the three than the that that is 3 was find. The arministion of the Offices communication and ending set in the endoor or notice has no effect out this desdrines 35 USC 154 (0)(2)(C)(1); 7 C/R 1.704(s). Where applicant shows, in spite of all the care, applicant was mable to respond within the 3 months performed that no 1.705(c) Showing of Due Care was made.	Exclusion for Appellate Review 3-Year PTO Issue Requirement does not include the period of appellate review by the BPA for a Federal court, periginating on the date on which a notice of appeal to the BPA! was filed under 35 USC 134 and 37 CPR 4 () and ending on the date of the last decision by the BPA for by a Erdeal court in an appeal ander 35 USC () or a civil action under 35 USC 14.5, or on the date of mailing of either an action moder 55 USC, 132, or a notice of allowance under 55 USC, 151, whichever coccuss first, if the appeal did not sealt in a decision by the BPA. 135 USC 15-40)(1(B)(6); 37 CPR 1.702(b)(4), 1.703(b)(4).	Credit for Sarcessfal Appellate Review Term of an original patent shall be adjusted (credits) for the period beginning on the date on which a notice of uppeal to the BFAA was find under 35 USC 113 and 37 CFR 41.31 and ending on the date of a final decision in favor of the applicant by the BFAA or by a Federal court in an appeal under 35 USC 141 or a civil action under 53 USC 144 (55 55 USC 154(b)(J)(C)(iii); 37 CFR 1.702(c), 1.702(c). You have indicated the patent issued under an appeal decision reversing an adverse determination of patentability.
03/16/2006 Reply after Non-final Action under 37 CFR	03/29/2007 Final Rejection	09/04/2007 Notice of Appeal to Board of Patent Appeal and Interferences	09/04/2007 Notice of Appeal to Board of Patent Appeal and Interferences

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FTO Response to	Appeal Brief: 05/13/2008 Examiner's Answer to Appeal Brief		Applicant Response: 06/13/2008 Reply Brief by Applicant				PIO Repunse to Decision: 06/25/2009 Notice of Allowance under 35 USC 151	
4-Month PTO Response to Appeal Brief	PTO most exposed to an appeal uses tudent 2.8 USC 134 and their than 4 months after the dute on which the appeal was them. The period of substantant (credits) begins on the day fafter the dist this of mostless fafter the date an appeal broif in begins on the day fafter the date that is of mostless fafter the date an appeal broif in somplimes with 37 CFR 41.37 was filled and ending on the date of malling of any off an examiner's answer arader 32 CFR 41.39 an aviden under 35 USC 13.2, or a Solice of Appeal of the substantial and appeal of the	3-Month Applicant Response to Notice or Action	Period of adjustment (ceedits) shall be reuted for the period of adjustment (ceedits) hand by any PTO bards of adducting any proction, objection, is argument, or other request, beginning on the day files the date that is more state the date of mailings or on the day files the date that is a meeting after the date of mailings or manistem on the Offse commandation and rediging on the date the epply was filed. The partied, or distortional stratums partied, for exposite the epply was filed. The practice, or distortional stratums partied, for exposite the exposite the exposite the processing of the exposite the ex	Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months, 35 USC 154(b)(3)(C), 37 CFR 1.703(c).	You have indicated that no 1.705(c) Showing of Due Care was made.	4-Month PTO Response to Appellate Decision	PTO must et cen an emplication net lener than 4 anneste bette et deste of a decision by the BPA under 55 USC 13 det 115 co a decision by a Exheral court under 55 USC 134 or 115 co a decision by a Exheral court under 55 USC 144 to 146 where a lear one allowable clim transmis in the dare 54 application. The period of adjustment (receilis) begins on the city after the date that is 4 months their the date of the final decision by the Board of Pienal Appeals and Interferences or by a Federal court in an appeal under 35 USC 134 or 14 decision from the common mader 35 USC 134 or 14 decision from mader 35 USC 135 or a notice of allowance under 35 USC 134 (whichever occurs first. 35 USC 154 (6)(1) AA)(iii); 37 CPR 1,702(a)(5), 1,703(a)(5).	You have indicated allowable claim(s) remain in the application.
	02/04/2008 Appeal Brief by Applicant		05/30/2008 Miscellaneous PTO Action or Notice				03/17/2009 Final Decision by Board of Patent Appeals and Interferences	

	3-Montt Applicant Response to Notice or Action				
06/25/2009 K Notice of Allowance under 35 USC 151	Period of adjustment (recults) shall be reduced for the period of adjustment (recults) shall be reduced represent objection, objection, objection, argument, or other requests, beganing on the day when the that is 3 months after the date of mailing or transmission of the Office communication and ending on the date of mailing or transmission of the Office communication and ending sets in the action of margine and ending sets in the action or notice has no effect on this deadline, 33 USC 154 (b)(2)(C)(i); 37 CFR 1.704(b).	Applicant Response: 09/16/2009 Request for Continued Examination under 35		•	
	Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months, 55 USC 154(b)(3)(C); 37 CFR 1.705(c).	U.S.C. 132(b)			
	You have indicated that no 1.705(c) Showing of Due Care was made.				
0000000	Exclusion for Continued Examination	June Bon.			
Examination under 35 U.S.C. 132(b)	3.Year PTO Issue Requirement does not include the period consumed by continued are present of the period of the period of the period of the continued of the continued of the period of the continued of the continued of the continued of the application under 35 UNC 123(h) and the required for continued continued on the father the application under 35 UNC 25(h) Associated on the date of the planet was issued, 35 UNC 25(h) Associated on the plane	07/27/2010 Issue Date	315		
	3-Month Applicant Response to Notice of Action				
01/14/2010 Ni Notice of Allowance under 35 USC 151	Period of adjustment (credit) shall be reduced for the period in excess of 3 months taken to reply to map PTO notice or action making any prefection, objectives argument, or other request, beginning on the day after the date into its amount after the date of maling or transmission of the Ottec communication and ending on the date the reply was filed. The protoid, as absented assuming period, for explosing sets in the action or notice has no effect on his deadline 35 USC 154 (b/23/Cy(i)); 37 USR 174(b).	Applicant Response: 04/14/2010 Issue Fee Payment under 35 USC 151		9	
	Where applicant shows, in spile of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).				
	You have indicated that no 1.705(c) Showing of Due Care was made.				

	Control and Additional	3-Month Applicant Response to Notice or Action				
×	03/17/2010 Notice of Allowance under 35 USC 151	Period of adjustment (enotite) shall be reduced for the period in excess of 3 months taken to reply to usp PTT order or redom ming any specimen, objection, and argument, or other request, beginning on the day after the date that is 3 months after the after of reduce of mining or transmission of the Otto communication and reduced on the date that the reply was filed. The period, or shortened stantony partied, for reply as each the region or rotter has no effect on this deadline, 35 USC 154 (b)(2)(C)(3); C(3);	4pplicant Response: 04/14/2010 Issue Fee Payment under 35 USC 151			
		Where applicant shows, in spile of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. $35 \text{ USC} 154(b)(3)/C)$; $37 \text{ CFR} 1.705(c)$.				
		You have indicated that no 1.705(c) Showing of Duc Care was made.				
		4-Month PTO Issue of Patent				
0	04/14/2010 Issue Fee Payment under 35 USC 151	PTO must issue a patent not later than 4 months after the date on which the issue feet was made under 51 SUG 13 and all outsurabiling penticentous were satisfied. The period of equisament (treatist) pegins on the day after the date that is 4 months after the date that issue feet was paid and all outstanding requirements were satisfied and each of the day the patent issues 25 USC 154(b)(1)(A)(tv); 37 CFR	ksne Pater 67/2/1/2010 Issue Date			9
		Amendment or Paper after Notice of Allowance (IDS)				
6 THE		Period of adjustment (credits) shall be reduced where applicant submits an unreduction tude 37 CFR 12 or other period refra a motioc of sillowance has been given or mailed, (i) for the period beginning on the date the amendment of other speer was filled and ending on the mailing date of the Office action or redice in response to the amendment or such other paper; or (ii) 4 months, whichever is sea, 57 CFR 1.7046(oth)	Native of Alforence: 03/17/2010 Notice of Allowance under 35 USC 151			
	05/05/2010	A paper containing only an IDS in compliance with 37 CFR 1.97 and 1.98 will not			64	
4	Information Disclosure Statement	generate a reduction I accomplante by a standard use of their in use 1.2 was cited in a communication from a foreign potent office in a counterpart application and that this communication from a foreign potent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.54(c) more than 30 days prior to the filling of the IDS. This 30 day period is not extendible, 37 CFR 1.704(d).	Office Action or Notice in Response:		5	
		You have elected to analyze this rule under the PTO Interpretation. Both interpretations produce the same result.	07/07/2010 Issue Notification			
		You have indicated that no statement under 37 CFR 1.704(d) was included with this IDS.				
Tota	Fotal Exclusion, Debit, and Credit Days:	Credit Days:		876	159	1813
Over	Overlap Days (7):			0	0	243
Net	Net Exclusion, Debit, and Credit Days:	Tredit Days:		876	159	1570

- 3) Calculations of Debit, Credit, and Exclusion Days are determined by the rule assignments, assignments of related events, and madysis uptions in the Apply Term Rules tab. The patent professional using this system is responsible for reviewing and updating the Apply Term Rules tab to ensure all duo is complete, correct, and consistent with their
- (4) Exclasion Days are periods which are not included in determining the end of the 3-year period after the date on which the application was filed under 35 USC 111(a), or the national stage commenced ander 35 USC 371(b) or (f) in an international application, used to determine credits under the 3-Year PTO Issus of Parent rule. See 35 USC judgment and interpretation of applicable legal authority.
 - 54(bx1)(Bxi)-(iii), 37 (FR 1,702(b)(1)-(5), 1,703(bx1)-(4).
- (5) Debit Days are days where grounds for reduction of period of adjustment of patent term exist. See, e.g., 37 CFR 1,704. Debit Days are sometimes referred to as Applicant Delay.
- (7) To the extent credit periods everlap other credit periods, debit periods overlap other exclusion periods overlap other exclusion periods, overlaps are (6) Credit Days are days where grounds for adjustment of patont form exist. See, e.g., 37 CFR 1.702, 1.705. Credit Days are sometimes referred to as USPTO Delay, subtracted so that each calendur day generates at most one credit day, one dabit day, and one exclusion day. (8) Parent Term Adjustment Days equals Net Credit Days minus Net Debtt Days, but is not less than zero.

01/10/2011 03:55.05 PM ET